IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 842 of 2007()

CRIME NO.25/07 OF ANCHALUMMOODU POLICE STATION

: PETITIONER/6TH ACCUSED:

SULFIKKAR, S/O. HANEEFA,
AGED 24, KALARITHEKKATHIL, KADAVOOR,
KUREEPUZHA, KOLLAM.

BY ADV. SRI.BIMAL K.NATH
SRI.S.JAMAL

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 842 OF 2007 A

Dated this the 20th day of February, 2007

O R D E R

Petitioner, who is the 6th accused in Crime No.25/2007 of Anchalummoodu Police Station for offences punishable under sections 143, 147, 148, 452, 354, 380 and 427 read with section 149 IPC and Section 27 of the Arms Act, 1959, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that the accused persons had trespassed into the house of the de facto complainant at about 10.15 p.m. on 17.1.2007 armed with deadly weapons like sword, etc., assaulted him and had also committed theft of a gold chain of the wife of the de facto complainant.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate concerned, expeditiously. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 23.2.2007 and 26.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced before the Magistrate concerned on the same

day. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioner, preferably on the same day on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks